

REMARKS

Claims 1-20 stand in this application. Claims 1-5, 7-13 and 15-20 have been amended. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

35 U.S.C. § 112 Rejections

Claims 1-20 have been rejected under 35 U.S.C. § 112 for not particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention. Applicant respectfully traverses the rejection based on the above amendments. These claims have been amended in accordance with the Office Action, and removal of this rejection is respectfully requested. Applicant further submits that the above amendments are made to overcome a § 112 rejection and are not made to overcome the cited references. Accordingly, these amendments should not be construed in a limiting manner.

35 U.S.C. § 102 (a)

At page 3, paragraph 6 of the Office Action claims 1-20 stand rejected under 35 U.S.C. § 102 (a) as being anticipated by United States Patent Number (USPN) 6,697,806 (Cook). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the anticipation rejection.

Although Applicant disagrees with the broad ground of rejections stated in the Office Action, Applicant has amended the independent claims to further prosecution on

the merits. Independent claim 1 has been amended to recite “coupling a mobile device having a first resource to a first network environment” and “determining whether the first network identifier satisfies a first access requirement stored locally at the mobile device by the mobile device.” Independent claim 5 has been amended to recite “receiving an indication that a first resource on a mobile device is to be associated with the first network identifier.” Independent claim 13 has been amended to recite “receive an indication that a first resource on a mobile device is to be associated with the first network identifier.”

Applicant respectfully submits that to anticipate a claim under 35 U.S.C. § 102(a), the cited reference must teach every element of the claim. *See* MPEP § 2131, for example. Applicant submits that the Cook fails to teach each and every element recited in claims 1-20 and thus they define over Cook. For example, Cook fails to teach, among other things, “coupling a mobile device having a first resource to a first network environment” and “determining whether the first network identifier satisfies a first access requirement stored locally at the mobile device by the mobile device” as recited in claim 1.

According to the Office Action, Cook discloses “[c]oupling a mobile device associated with a first resource to a first network environment.” Office Action, Page 3, Paragraph 8a (citations omitted). The Office Action directs the Applicant to Figure 5, element 530 as disclosing “a first resource.” Cook at the given cite, shows element 530 as part of network architecture 500. Applicant has amended claim 1 to more clearly reflect that the “first resource” is actually part of the “mobile device” as recited in claim

1. Cook fails to disclose “coupling a mobile device having a first resource to a first network environment” as recited in claim 1.

The Office Action further states that Cook discloses “[d]etermining whether the first data satisfies a first access requirement stored locally at the mobile device (Fig. 8, #810).” Office Action, Page 4, Paragraph 8c. In the accompanying text supporting Figure 8, block 810, Cook states that “[i]f the destination is the user access profile, the access server 524 then checks if the network device 562 is allowed access to the user access profile in step 1110 (sic).” Cook, Column 11: Lines 25-28. The access server 524, however, is part of network architecture 500 and is not a “mobile device” as recited in claim 1. Further, there is no mention of the access server 524 checking network device 562 for a “first access requirement” to determine if the network device 562 is allowed access to network architecture 500. It therefore follows that Cook fails to disclose “determining whether the first network identifier satisfies a first access requirement stored locally at the mobile device by the mobile device” as recited in claim 1.

For at least the reasons given above, Cook fails to disclose all the elements or features of claim 1. Accordingly, Applicant respectfully requests removal of the anticipation rejection with respect to claim 1. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejections with respect to claims 2-4, which depend from claim 1, and therefore contain additional features that further distinguish these claims from Cook.

Claims 5-20 recite features similar to those recited in claim 1. Therefore, for reasons analogous to those presented with respect to claim 1, Applicant respectfully submits that claims 5-20 are not anticipated and are patentable over Cook. Accordingly,

Applicant respectfully requests removal of the anticipation rejections with respect to independent claims 5 and 13. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejections with respect to claims 6-12 and 14-20, which depend from claims 5 or 13, and therefore contain additional features that further distinguish these claims from Cook.

Applicant respectfully submits that in light of the foregoing amendments and/or remarks, all of the presently pending claims are in condition for allowance. Entry of the present amendment and/or allowance of the presently pending claims are, therefore, respectfully requested.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

It is believed that claims 1-20 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-3387 to discuss any matter concerning this application.

Appl. No. 09/917,320
Response Dated March 10, 2005
Reply to Office Action of December 10, 2004

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2666.


Respectfully submitted,

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s/John F. Kacvinsky/s

John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to:
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Deborah L. Higham Date

Dated: March 10, 2005

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